

1 KEKER & VAN NEST LLP
ROBERT A. VAN NEST - # 84065
2 BRIAN L. FERRALL - # 160847
DAVID SILBERT - # 173128
3 MICHAEL S. KWUN - #198945
633 Battery Street
4 San Francisco, CA 94111-1809
Telephone: (415) 391-5400
5 Email: rvannest@kvn.com;
bferrall@kvn.com; dsilbert@kvn.com;
6 mkwun@kvn.com

SUSAN CREIGHTON, SBN 135528
SCOTT A. SHER, SBN 190053
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
1700 K Street NW, Fifth Floor
Washington, D.C., 20006-3817
Telephone: (202) 973-8800
Email: screighton@wsgr.com;
ssher@wsgr.com

7
8 JONATHAN M. JACOBSON, NY SBN 1350495
CHUL PAK (*pro hac vice*)
DAVID H. REICHENBERG (*pro hac vice*)
9 WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
10 1301 Avenue Of The Americas, 40th Floor
New York, NY 10019-6022
11 Telephone: (212) 999-5800
Email: jjacobson@wsgr.com; cpak@wsgr.com;
12 dreichenberg@wsgr.com

13 Attorneys for Defendant ARISTA NETWORKS, INC.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 CISCO SYSTEMS, INC.,
18

19 Plaintiff,

20 v.

21 ARISTA NETWORKS, INC.,

22 Defendant.

Case No. 5:14-cv-05344-BLF (NC)

**DECLARATION OF ELIZABETH K.
MCCLOSKEY IN SUPPORT OF
ARISTA'S MOTION TO STRIKE
EXPERT OPINIONS AND TESTIMONY
OF DR. JUDITH A. CHEVALIER**

Judge: Hon. Beth Labson Freeman

Date Filed: December 5, 2014

Trial Date: November 21, 2016

1 I, Elizabeth K. McCloskey, declare and state as follows:

2 1. I am an attorney licensed to practice law in the State of California and admitted to
3 practice before this Court. I am an associate at the law firm of Keker & Van Nest LLP and
4 counsel for Defendant Arista Networks, Inc. ("Arista") in the above-captioned action. I have
5 personal knowledge of the facts stated herein and, if called as a witness, I could testify
6 competently thereto.

7 2. I submit this declaration in support of Arista's Motion to Strike Expert Opinions
8 and Testimony of Dr. Judith A. Chevalier.

9 3. Attached hereto as **Exhibit A** is a true and correct copy of the Expert Report of Dr.
10 Judith A. Chevalier dated June 24, 2016.

11 4. Attached hereto as **Exhibit B** is a true and correct copy of transcript excerpts from
12 the deposition of Dr. Judith A. Chevalier taken on July 26, 2016.

13 5. Attached hereto as **Exhibit C** is a true and correct copy of transcript excerpts from
14 the deposition of Anshul Sadana taken on March 17, 2016.

15 6. Attached hereto as **Exhibit D** is a true and correct copy of transcript excerpts from
16 the deposition of Anshul Sadana taken on May 27, 2016.

17 7. Attached hereto as **Exhibit E** is a true and correct copy of the Sur-Rebuttal Expert
18 Report on Fair Use of Judith A. Chevalier dated July 21, 2016

19 8. Attached hereto as **Exhibit F** is a true and correct copy of transcript excerpts from
20 the deposition of Kenneth Duda taken on February 12, 2016.

21 Executed August 5, 2016, at San Francisco, California.

22 I declare under penalty of perjury under the laws of the United States of America that the
23 foregoing is true and correct.

24
25 /s/ Elizabeth K. McCloskey
ELIZABETH K. MCCLOSKEY